

## MILPERSMAN 1910-704

### DETERMINING SEPARATION AUTHORITY

<b>Responsible Office</b>	NAVPERSCOM (PERS-832)	Phone:	DSN COM FAX	882-4433 (901) 874-4433 882-2624
NAVPERSCOM CUSTOMER SERVICE CENTER		Phone:	Toll Free	1-866-U ASK NPC

<b>References</b>	(a) 10 U.S.C. 12686 (b) OPNAVINST 1752.1B
-------------------	--

1. **Separation Authority (SA)**. Use this table below to determine SA (exceptions to these rules are noted in the "rule" section that follows):

**Note 1:** COG refers to convenience of the Government.

**Note 2:** Commands are advised that lowest SA should be used whenever practicable to reduce processing time and expenditure of Government funds.

IF member is being separated by reason of...	THEN separation authority is...
<ul style="list-style-type: none"> <li>Selected changes in service obligation - Inactive Reserves</li> <li>Selected changes in service obligations - immediate reenlistment</li> <li>Selected changes in service obligations - within 90 days of expiration of active obligated service</li> <li>Expiration of service obligation</li> </ul>	Commanding officer (CO)

IF member is being separated by reason of...	THEN separation authority is...
<ul style="list-style-type: none"> <li>• COG - dependency or hardship</li> <li>• COG - pregnancy or childbirth</li> <li>• COG - surviving family member</li> <li>• COG - reservist becomes a minister</li> <li>• COG - other designated physical or mental conditions</li> <li>• COG - personality disorder</li> <li>• COG - parenthood (if less than 1 year obligated service and not in critical rating)</li> <li>• COG - review action</li> <li>• COG - early release to further education</li> <li>• Entry level performance and conduct</li> <li>• Unsatisfactory performance</li> <li>• Drug abuse rehabilitation failure</li> <li>• Alcohol abuse rehabilitation failure</li> <li>• Family Advocacy Program Rehabilitation Failure (Best Interest of the Service (BIOTS) cases to Secretary of the Navy (SECNAV))</li> <li>• Defective Enlistments and Inductions - erroneous</li> <li>• Defective Enlistments and Inductions - minority</li> <li>• Defective Enlistments and Inductions - defective enlistment agreements</li> <li>• Defective Enlistments and Inductions - separation from delayed entry program</li> <li>• Physical Fitness Assessment (PFA) Failure</li> </ul>	<p>Special court-martial convening authority (SPCMCA) or higher</p>

IF member is being separated by reason of...	THEN separation authority is...
<ul style="list-style-type: none"> <li>• Misconduct - a pattern of misconduct</li> <li>• Misconduct - commission of a serious offense</li> <li>• Misconduct - civilian conviction</li> <li>• Misconduct - drug abuse</li> <li>• Defective Enlistments and Inductions - fraudulent entry into naval service</li> <li>• Unsatisfactory participation in Ready Reserve</li> </ul>	<p>General court-martial convening authority (GCMCA) or higher when administrative board procedure was used and:</p> <ul style="list-style-type: none"> <li>• Board recommended other than honorable</li> <li>• Board recommended retention</li> <li>• Member waived a board</li> <li>• Member requested a conditional waiver if applicable</li> </ul> <p>SPCMCA or higher when</p> <ul style="list-style-type: none"> <li>• notification procedure was used</li> <li>• administrative board procedure was used and board recommended separation with Honorable, General or Entry Level Separation</li> </ul>

IF member is being separated by reason of...	THEN separation authority is...
<ul style="list-style-type: none"> <li>• Separation in lieu of trial by court-martial</li> </ul>	GCMCA unless request is based solely on an absence without leave of more than 30 days, then SPCMCA is SA.
<ul style="list-style-type: none"> <li>• Selected Changes in Service Obligations - general demobilization or reduction in authorized strength</li> <li>• Selected Changes in Service Obligations - acceptance of active duty commission or appointment</li> <li>• COG - Conscientious Objection</li> <li>• COG - Being an Alien</li> <li>• When member has Physical Evaluation Board (PEB) action completed or pending, and at same time being administratively processed for separation</li> </ul>	Commander, Navy Personnel Command (COMNAVPERSCOM)
<ul style="list-style-type: none"> <li>• Disability</li> <li>• BIOTS</li> </ul>	Secretary of the Navy (SECNAV)

## 2. Rules

a. **COMNAVPERSCOM is SA** when a member is processed for a mandatory reason, and either a recommendation for suspended separation is made and the SA above supports the recommendation, or a recommendation for retention is made. In cases where the SA disagrees with a recommendation for a suspended separation, the SA retains authority to execute the separation.

b. To implement COMNAVPERSCOM review required by reference (b), **COMNAVPERSCOM is the SA** for involuntary separation of

active duty members who are the alleged victim of sexual assault.

**c. Chief of Naval Personnel (CHNAVPERS) or SECNAV is SA:**

(1) When an administrative board finds that a preponderance of the evidence supports one or more of the reasons for separation and recommends retention, but the SA above recommends separation. (SECNAV)

(2) For involuntary separation of active duty members with 18 or more years total active military service. (CHNAVPERS)

(3) When the GCMCA recommends disapproval of a conscientious objector case. (CHNAVPERS)

(4) For involuntary separation of active duty reservists within 2 years of retired or retainer pay (reference (a) refers). (SECNAV)

(5) When the sole basis for separation is a serious offense that resulted in a conviction by a special or general court-martial that did not impose a punitive discharge, and an other than honorable discharge is recommended by an administrative board (or CO when no board was held). (SECNAV)

(6) The SA above determines that an honorable discharge is clearly warranted by the presence of unusual circumstances involving personal conduct and performance of naval duty for a member in an entry level status who is being separated by reason of selected changes in service obligations, convenience of the Government, disability, or best interest of the service. (SECNAV)

(7) When a member is processed for misconduct - civilian conviction, the final action on the appeal has not been taken, and the member does not request separation before final action on the appeal is taken. (SECNAV)

**NOTE:** Review individual reason processing articles to determine correct NAVPERSCOM code where administrative separation should be mailed.